

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
SOUTH BEND DIVISION**

<b>UNITED STATES OF AMERICA</b>	)	
	)	
v.	)	<b>Criminal No. 3:03CR0084(1) AS</b>
	)	
<b>ROBERT L. SLEEPERS,</b>	)	
*****	)	
<b>ROBERT L. SLEEPERS</b>	)	
	)	
<b>Petitioner</b>	)	
	)	
v.	)	<b>Civil No. 3:05cv0346 AS</b>
	)	
<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Respondent</b>	)	

***MEMORANDUM OPINION AND ORDER***

This court takes full judicial notice of the record in this federal criminal proceeding. The record shows for one reason or another that this defendant, now petitioner, had at one time or another in this case the benefit of three separate attorneys. However, the motion filed under 28 U.S.C. §2255 on June 8, 2005 was done by Robert L. Sleepers pro se. It needs to be noted that the proceedings with regard to a change of plea on February 25, 2004 were most decidedly under oath. It is very difficult for this defendant-petitioner to now gainsay those statements made under oath. This court has given close attention to the filing made by Mr. Sleepers on August 1, 2005.

To cut to the chase, a recent decision emanating from this court is directly applicable. *See United States v. Lockwood*, No. 04-2511 (7th Cir. July 26, 2005). Candidly, to do what

this pro se defendant-petitioner now asks would fly straight in the face of the decision of the Court of Appeals in *Lockwood*. *Lockwood* is a binding precedent and must be followed here. It precludes this court from granting relief as now requested under 28 U.S.C. §2255. Such relief is now **DENIED. IT IS SO ORDERED.**

**DATED:** August 3, 2005

**S/ ALLEN SHARP**  

---

**ALLEN SHARP, JUDGE**  
**UNITED STATES DISTRICT COURT**